

ORIGINAL

JAY T. KIMURA 2497  
Prosecuting Attorney

MICHAEL S. KAGAMI 5317  
Deputy Prosecuting Attorney  
County of Hawaii  
34 Rainbow Drive  
Hilo, Hawaii 96720

Tel No. 961-0466

Attorneys for State of Hawaii

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

FEB 07 2007

at 11 o'clock and 39 min AM  
SUE BEITIA, CLERK

LODGED

FEB 5 2007

CLERK, U.S. DISTRICT COURT  
DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA

Plaintiff

vs.

JAMES CARVALHO,

Defendant.

CR. NO. 04-00294 SOM

APPLICATION AND ORDER  
REGARDING TEMPORARY  
TRANSFER OF CUSTODY TO  
THE STATE OF HAWAII  
REGARDING WRIT OF HABEAS  
CORPUS AD PROSEQUENDUM;  
EXHIBITS "A" - "B"; AND ORDER

APPLICATION AND ORDER REGARDING TEMPORARY  
TRANSFER OF CUSTODY TO THE STATE OF HAWAII  
REGARDING WRIT OF HABEAS CORPUS AD PROSEQUENDUM

MICHAEL S. KAGAMI, Deputy Prosecuting Attorney for the County  
and State of Hawai'i, hereby moves the Honorable Court for an Order authorizing the  
temporary transfer of custody of JAMES CARVALHO, from the United States  
Marshal Service, District of Hawaii, to State of Hawaii Officials on February 16,  
2007.

Defendant JAMES CARVALHO is now detained in the custody of the United States Marshal Service, District of Hawaii, pending movement to Bureau of Prisons.

Defendant JAMES CARVALHO has a resentencing before the Honorable Greg Nakamura, Judge of the Circuit Court of the Third Circuit, State of Hawaii, under Cr. No. 99-266, currently scheduled for February 16, 2007, at 11:30 a.m.

The State of Hawaii has received approval for a temporary transfer of custody from the Assistant United States Attorney handling the above matter. (See Exhibit "A")

This Application requests that the Court grant a temporary transfer of JAMES CARVALHO from the United States Marshal Service, District of Hawaii, to State of Hawaii Officials, based on the State of Hawaii's Petition for Writ of Habeas Corpus Ad Prosequendum filed on February 1, 2007, filed under Cr. No. 99-266, in the Circuit Court of the Third Circuit, State of Hawaii. (See Exhibit "B")

Upon completion of said hearing, Defendant JAMES CARVALHO will be returned to the United States Marshal Service, District of Hawaii, that same day or as soon as possible thereafter.

DATED: Hilo, Hawaii, FEB - 2 2007

By JAY T. KIMURA  
Prosecuting Attorney

By Michael Kagami  
MICHAEL S. KAGAMI  
Deputy Prosecuting Attorney  
County of Hawaii